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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11 UNITED STATES FIDELITY AND GUARANTY) CASE NO. C 03 5376-SBA
12 COMPANY, et al.,)
13 Plaintiffs,)
14 v.) **STIPULATED JUDGMENT;**
15 THE SCOTT COMPANIES, INC., et al.) **ORDER THEREON**
16 Defendants.)
17

18 Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance
19 Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance
20 Company, individually and as assignee of Economy Fire and Casualty Company (collectively, "St. Paul"),
21 and Defendants The Scott Companies, Inc., Scott Co. of California, WTE, Inc., Scott Mechanical
22 International, Inc. and Scott-Norman Mechanical, Inc. (collectively, "Scott"), by and through their
23 counsel of record herein, hereby stipulate and agree as follows:

24 1. St. Paul, as surety, incurred losses in excess of \$50 million on related surety bonds and a
25 financial guaranty bond (collective, "Bonds") it issued for or on behalf of Scott, as principal, and Scott
26 agreed in writing to indemnify St. Paul for any losses on the Bonds.

27 2. St. Paul initiated the instant proceeding in order to recover from Scott its losses on the
28 Bonds, which are understood to be in an amount in excess of \$50 million (\$50,000,000.00).

1 3. St. Paul and Scott subsequently settled their dispute, and, as part of the settlement, Scott
2 agreed to stipulate to judgment against Scott and in favor of St. Paul in the amount of \$50 million
3 (\$50,000,000.00).

4 4. Accordingly, Scott, and each of them, stipulate that judgment in the amount of \$50 million
5 (\$50,000,000.00) may be taken against each of them and in favor of St. Paul, and each of them.

6 IT IS SO STIPULATED.

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8 Dated: November 7, 2005 UNITED STATES FIDELITY AND GUARANTY COMPANY

9
10 By: /s/ John F. Simanski, Jr.
11 Its: Vice President

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13 Dated: November 7, 2005 FIDELITY AND GUARANTY INSURANCE COMPANY

14
15 By: /s/ John F. Simanski, Jr.
16 Its: Vice President

17
18 Dated: November 7, 2005 ST. PAUL FIRE AND MARINE INSURANCE COMPANY

19
20 By: /s/ John F. Simanski, Jr.
21 Its: Vice President

22
23 Dated: November 7, 2005 ST. PAUL MEDICAL LIABILITY INSURANCE COMPANY

24
25 By: /s/ John F. Simanski, Jr.
26 Its: Vice President

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1 Dated: November 8, 2005 THE SCOTT COMPANIES, INC.

2
3 By: /s/ J.A. Guglielmo
Its: President

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5 Dated: November 8, 2005 SCOTT CO. OF CALIFORNIA

6
7 By: /s/ J.A. Guglielmo
Its: President

8
9 Dated: November 8, 2005 WTE, INC.

10
11 By: /s/ J.A. Guglielmo
12 Its: President

13
14 Dated: November 8, 2005 SCOTT MECHANICAL INTERNATIONAL, INC.

15
16 By: /s/ J.A. Guglielmo
17 Its: President

18
19 Dated: November 8, 2005 SCOTT-NORMAN MECHANICAL, INC.

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21 By: /s/ J.A. Guglielmo
22 Its: President

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1 Dated: November 8, 2005 WATT,
2 TIEDER, HOFFAR & FITZGERALD, L.L.P.
3

4 By: /s/ David R. Johnson
5 Michael G. Long, Esq.
6 David R. Johnson, Esq.
7 Attorneys for Plaintiffs
8 United States Fidelity and Guaranty Company;
9 Fidelity and Guaranty Insurance Company;
10 St. Paul Fire and Marine Insurance Company; and
11 St. Paul Medical Liability Insurance Company
12

13 Dated: November 8, 2005 MILLER LAW FIRM, PC
14

15 By: /s/ Scott H. Murphy
16 Richard W. Miller, Esq.
17 Scott H. Murphy, Esq.
18 Attorneys for Defendants
19 The Scott Companies, Inc.; Scott Co. of California;
20 WTE, Inc.; Scott Mechanical International, Inc.;
21 Scott-Norman Mechanical, Inc.; Joseph Anthony Guglielmo;
22 aka J.A. Guglielmo; and Robert Nurisso, aka R.T. Nurisso
23

24 Based on the foregoing stipulation, and good cause appearing therefore,
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26 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment in the amount of \$50
27 million (\$50,000,000.00) be, and hereby is, entered against Defendants The Scott Companies, Inc., Scott
28 Co. of California, WTE, Inc., Scott Mechanical International, Inc. and Scott-Norman Mechanical, Inc.,
and in favor of Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance
Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance
Company, individually and as assignee of Economy Fire and Casualty Company.

29 IT IS SO ORDERED.
30

31 Dated: 11/28/05

32 
33 Sandra B. O'Connor
34 UNITED STATES DISTRICT COURT JUDGE
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PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2040 Main Street, Suite 300, Irvine, California 92614.

On January 4, 2006, I served the foregoing document(s) described as **STIPULATED JUDGMENT; ORDER THEREON**

BY ELECTRONIC FILING: the above and foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

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Norman Mechanical, Inc.

[X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 4, 2006, at Irvine, California.

/s/ Hildegard Schucker
Hildegard Schucker

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